

# Order

Michigan Supreme Court  
Lansing, Michigan

June 23, 2009

Marilyn Kelly,  
Chief Justice

138091

Michael F. Cavanagh  
Elizabeth A. Weaver  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman  
Diane M. Hathaway,  
Justices

MICHAEL C. LEE,  
Plaintiff-Appellant,

v

SC: 138091  
COA: 274530  
Wayne CC: 05-502988-CD

CITY OF DETROIT,  
Defendant-Appellee.

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On order of the Court, the application for leave to appeal the December 4, 2008 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other peremptory action. MCR 7.302(H)(1). The parties shall submit supplemental briefs within 42 days of the date of this order addressing whether, with respect to the plaintiff's claim that the police department violated the Whistleblower Protection Act, MCL 37.2101 *et seq.*, the Court of Appeals erred in ruling that the plaintiff failed to provide sufficient evidence to establish a genuine issue of material fact regarding a causal connection between his November 2, 2004 internal complaint and his transfer from the Gang Enforcement Section to the Records and Identification Section of the police department. The parties should not submit mere restatements of their application papers.



s0616

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 23, 2009

*Corbin R. Davis*

Clerk